

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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MICHAEL W. MCDEVITT,

Plaintiff,

-against-

**FINAL  
VERDICT SHEET**  
CV 16-4164 (GRB)(ST)

SUFFOLK COUNTY, SUFFOLK COUNTY POLICE  
DEPARTMENT, SUFFOLK COUNTY POLICE  
OFFICER GLENN TARQUINIO, in his individual  
and official capacities, SUFFOLK COUNTY POLICE  
OFFICER ALEJANDRO SANCHEZ, in his individual  
and official capacities, SUFFOLK COUNTY POLICE  
OFFICERS "JOHN AND JANE DOES # 1-10," in  
their individual and official capacities,

Defendants.

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According to the principles of law as instructed by the Court and the facts as you find  
them, please answer the following questions.

**COUNT 1: FALSE ARREST  
AGAINST DEFENDANT TARQUINIO**

Please CIRCLE YES OR NO:

**Question 1: Did the  
Defendant Tarquinio  
show, by preponderance  
of the evidence, that he  
had probable cause to  
arrest Plaintiff for  
obstructing governmental  
administration?**

NO →

**Question 2: Did the  
Plaintiff show, by  
preponderance of the  
evidence, that Defendant  
Tarquinio's false arrest  
proximately caused  
injuries to the Plaintiff?**

**COURT EXHIBIT**

4:35 pm

10 4/24/23

YES ↓

NO ↘

YES ↗

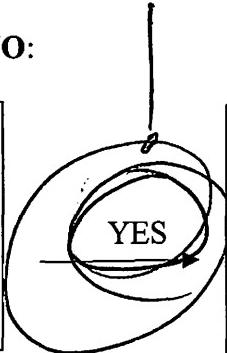
Conclusion: You have found that  
Defendant Tarquinio is not liable for  
the false arrest claim. Please proceed  
to Count 2.

Conclusion: You have found  
that Defendant Tarquinio is  
liable for the false arrest  
claim. Please proceed to  
Count 2.

COUNT 2: EXCESSIVE FORCE AGAINST  
DEFENDANTS TARQUINIO AND SANCHEZ

Please CIRCLE YES OR NO:

**Question 3:** Did the Plaintiff show, by preponderance of the evidence, that Defendant Tarquinio used excessive force against him?



**Question 4:** Did the Plaintiff show, by preponderance of the evidence, that Defendant Tarquinio's excessive force proximately caused injuries to the Plaintiff?

NO

NO

YES

Conclusion: You have found that Defendant Tarquinio is not liable for the excessive force claim. Please proceed to Question 5.

Conclusion: You have found that Defendant Tarquinio is liable for the excessive force claim. Please proceed to Question 5.

**Question 5:** Did the Plaintiff show, by preponderance of the evidence, that Defendant Sanchez used excessive force against him?

YES

~~**Question 6:** Did the Plaintiff show, by preponderance of the evidence, that Defendant Sanchez's excessive force proximately caused injuries to the Plaintiff?~~

NO

NO

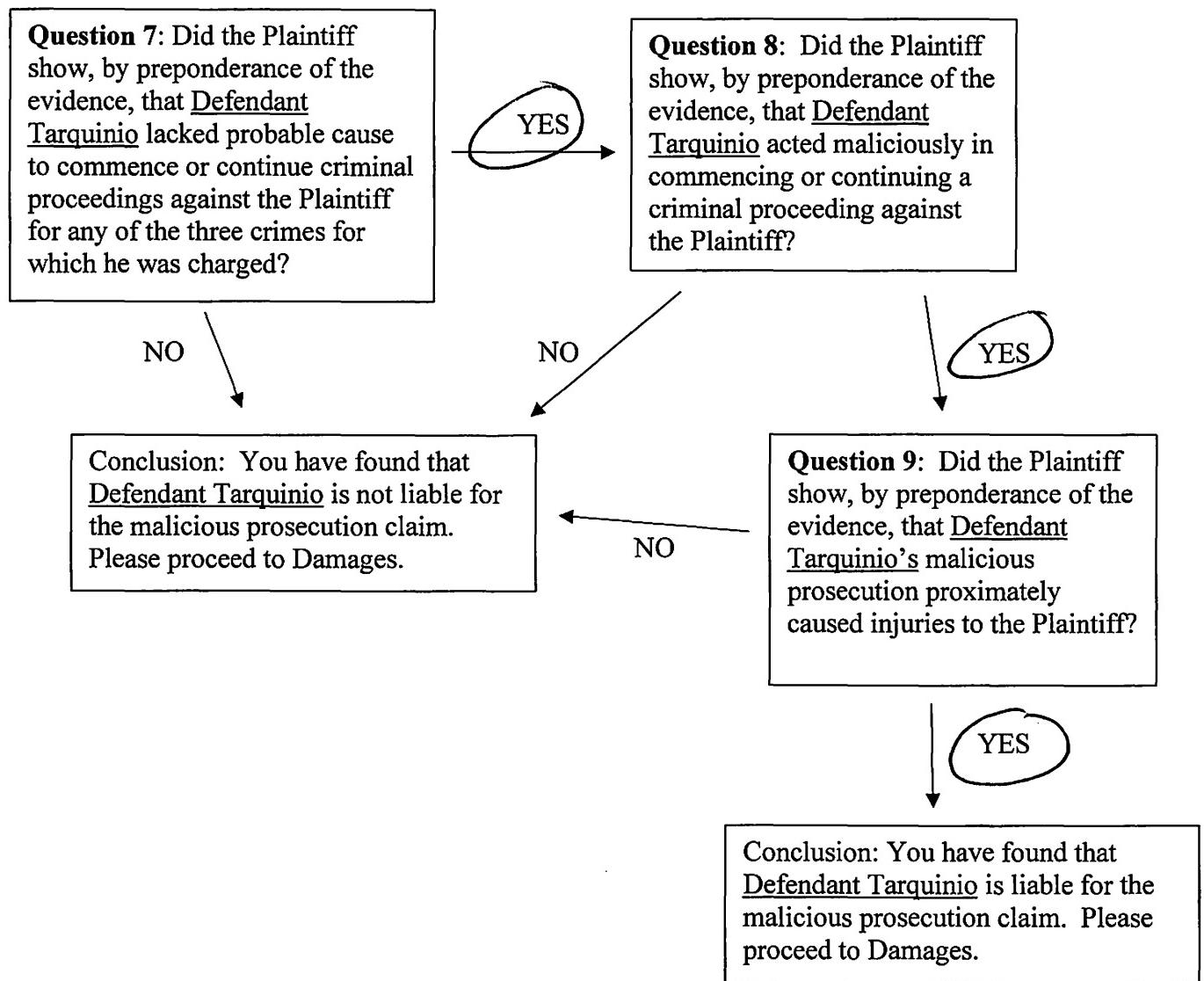
YES

Conclusion: You have found that Defendant Sanchez is not liable for the excessive force claim. Please proceed to Count 3.

Conclusion: You have found that Defendant Sanchez is liable for the excessive force claim. Please proceed to Count 3.

**COUNT 3: MALICIOUS PROSECUTION  
AGAINST DEFENDANT TARQUINIO**

Please CIRCLE YES OR NO:



[CONTINUE TO NEXT PAGE]

## DAMAGE CALCULATION

Fill out **ONLY** if you answered “**YES**” to Questions 2, 4, 6, and/or 9. If you answered “**NO**” to **ALL** of these questions, you have reached your verdict.

### I. COUNT 1 FALSE ARREST AS TO DEFENDANT TARQUINIO

#### A. Compensatory Damages

- i. What amount do you find is fair and reasonable to compensate Plaintiff for GENERAL damages (e.g., loss of time, humiliation, and mental suffering)?

\$

0

- ii. What amount, if any, do you find that Plaintiff has established as to SPECIAL damages (e.g., physical discomfort or injury to health)?

\$

0

#### B. Punitive Damages

- i. What amount, if any, do you award Plaintiff in punitive damages as to Defendant TARQUINIO regarding the false arrest claim?

\$

0

### II. COUNT 2 EXCESSIVE FORCE AS TO DEFENDANTS TARQUINIO AND SANCHEZ

#### A. Compensatory Damages

- i. What amount is fair and reasonable to compensate Plaintiff for the proven damages that Defendant TARQUINIO is liable for the excessive force claim?

\$

0

. If the Plaintiff suffered no injury OR you are unable to compute monetary damages except by engaging in pure speculation and guesswork, please go to Nominal Damages (Section II(B)).

- ii. What amount is fair and reasonable to compensate Plaintiff for the proven damages that Defendant SANCHEZ is liable for the excessive force claim?

\$

0

unable to compute monetary damages except by engaging in pure speculation and guesswork, please go to Nominal Damages (Section II(B)).

**B. Nominal Damages**

- i. Please check this box if you determine that Plaintiff is entitled to nominal damages of \$1 as to Defendant TARQUINIO'S liability. **DO NOT** check this box if you have awarded compensatory damages as to Defendant TARQUINIO'S liability.
- ii. Please check this box if you determine that Plaintiff is entitled to nominal damages of \$1 as to Defendant SANCHEZ'S liability. **DO NOT** check this box if you have awarded compensatory damages as to Defendant SANCHEZ'S liability.

**C. Punitive Damages**

- i. What amount, if any, do you award Plaintiff in punitive damages as to Defendant TARQUINIO? \$ 0
- ii. What amount, if any, do you award Plaintiff in punitive damages as to Defendant SANCHEZ? \$ 0

**III. COUNT 3 MALICIOUS PROSECUTION AS TO DEFENDANT TARQUINIO**

**A. Compensatory Damages**

- i. What amount is fair and reasonable to compensate Plaintiff for the proven damages that Defendant TARQUINIO is liable for the malicious prosecution claim? \$150,000. If the Plaintiff suffered no injury OR you are unable to compute monetary damages except by engaging in pure speculation and guesswork, please go to Nominal Damages (Section II(B)).

**B. Nominal Damages**

- i. Please check this box if you determine that Plaintiff is entitled to nominal damages of \$1 as to Defendant TARQUINIO'S liability. **DO NOT** check this box if you have awarded compensatory damages as to Defendant TARQUINIO'S liability.

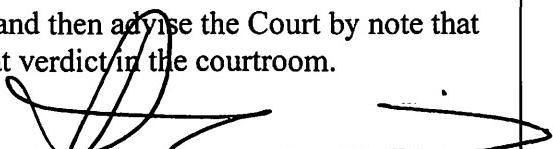
**C. Punitive Damages**

- i. What amount, if any, do you award Plaintiff in punitive damages as to Defendant TARQUINIO? \$ 600,000<sup>00</sup>/KK

You have reached a verdict.

FOREPERSON: Please sign and date the Verdict Sheet, and then advise the Court by note that you have reached a verdict and are ready to announce that verdict in the courtroom.

Dated: Central Islip, New York  
April 27, 2023

  
FOREPERSON'S SIGNATURE